Remarks

Claims 1-3 were rejected by the Examiner under 35 USC § 102(e) as being anticipated by Su (US Pub. Appl. 2004/0119083). In response to this rejection claims 2 and 3 have been cancelled and claims 1, 4 and 5 have been amended.

In summary, claim 1 has been amended to include substantially the limitations of cancelled 3, and claims 4 and 5 have been amended to change their dependence from claim 3 to claim 1.

Claim 1 is the only independent claim of the examined claims with the remaining claims, namely claims 4-11, each being dependent from claim 1, directly or indirectly. Therefore amended claim 1 will be discussed first.

As amended, claim 1 now states that the reflector includes a dielectric structure having a plurality of dielectric units which are formed into a stack with a spatially periodic variation in dielectric constant (see page 9, lines 2-15 of the instant application), and that each of the dielectric units includes at least three dielectric layers that are different from each other in refractive index and in layer thickness.

On the other hand, unlike the three-layer structure of the dielectric unit as claimed in amended claim 1, Su's published application discloses a reflector (see Su column 4, lines 24-39) that is a SiO_2/Al_2O_3, TiO_2/SiO_2 or Ta_2O_3/SiO_2 multi-layer stack, or is a multi-layer dielectric stack structure with alternating high and low refractive indices, i.e., a paired structure. However, Su's '565 published application cited by the Examiner is silent with respect to the claimed three-layer dielectric structure of the instant invention. Moreover, from Fig. 4 of the instant application it can be seen that the three-layer stack claimed in claim 1 of the instant application is superior to the paired structure in that the three-layer stack has a broader wavelength than Su's paired

structure. Thus, the three-layer stack of claim 1 is more efficient in transmitting the secondary light in the visible range therethrough without reducing the reflectance of the primary light (in the instant application see page 11, line 18 to page 12, line 4).

Since the discussion of Su is limited to the paired structure with no showing or suggestion of the three-layer stack of amended claim 1, it is respectfully submitted that amended claim 1 is patentably distinguishable from the Su reference.

Also, each of claims 4-11 being dependent from amended claim 1 with the limitations of claim 1 being read into each of those dependent claims, claims 4-11 are also patentably distinguishable from Su for the same, and additional, reasons that amended claim 1 is patentably distinguishable from Su.

Therefore it is respectfully submitted that all of claims 1 and 4-11 are patentable over Su, and the allowance of those claims is respectfully requested.

Favorable action is therefore respectfully requested.

Respectfully submitted,
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